

**RESOLUTION NO. 2013-38**

**A CAPITAL PROJECT AUTHORIZING RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; AUTHORIZING THE LEASE/PURCHASE OF ONE (1) FORD TRUCK FOR THE VILLAGE PUBLIC WORKS DEPARTMENT IN AN AMOUNT NOT EXCEEDING \$35,000; AUTHORIZING VILLAGE MANAGER TO SELL THE REPLACED VEHICLE; AUTHORIZING VILLAGE MANAGER TO ENTER INTO AN AMENDMENT TO LEASE/PURCHASE DOCUMENTS WITH BRANCH BANKING AND TRUST COMPANY FOR ACQUISITION OF VEHICLE AND TO IMPLEMENT THE TRANSACTION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Village of Key Biscayne Public Works Department requires one (1) new Ford F-250 truck vehicle (the “2013 Equipment”) to facilitate the provision of day to day operation of the Public Works Department, including Hurricane preparation and clean-up efforts; and

**WHEREAS**, the lease/purchase of the Equipment is exempt from competitive bidding requirements pursuant to Village Code Section 2-86, as based upon the purchase transaction of other Florida governmental entities; and

**WHEREAS**, on June 12, 2012, the Village Council adopted Resolution No. 2012-24 authorizing the lease/purchase of various vehicles (the “2012 Equipment”) pursuant to a proposal provided by Branch Banking and Trust Company (“BB&T”); and

**WHEREAS**, on June 26, 2012, the Village entered into a Lease Agreement and related documents with BB&T (the “2012 Lease Documents”) to finance the purchase of the 2102 Equipment; and

**WHEREAS**, BB&T has offered to modify the 2012 Lease Documents to add the 2013 Equipment and increase the amount financed thereunder by not to exceed \$35,000, at an interest rate of 1.60% amortized over a four year period (the “2013 Lease Documents Modifications”); and

**WHEREAS**, the Village Council wishes to authorize the Village Manager to enter into the 2013 Lease Documents Modifications in order to finance the 2013 Equipment; and

**WHEREAS**, the Village Council finds that adoption of this Resolution is in the best interest of the Village.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF KEY BISCAYNE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** Each of the above-stated recitals is hereby adopted and confirmed.

**Section 2. Capital Project Authorizing Resolution; Purchase of Equipment Authorized.** Pursuant to Section 3.07(b) of the Village Charter, this Resolution shall constitute a Capital Project Authorizing Resolution. The Capital Project, being the purchase of the 2013 Equipment, consisting of one (1) Ford F-250 truck vehicle, at a projected cost of \$33,500, with the actual cost not to exceed \$35,000, is hereby approved.

**Section 3. Sale of Replaced Equipment.** The Village Manager is authorized to sell the vehicle which is being replaced by the 2013 Equipment.

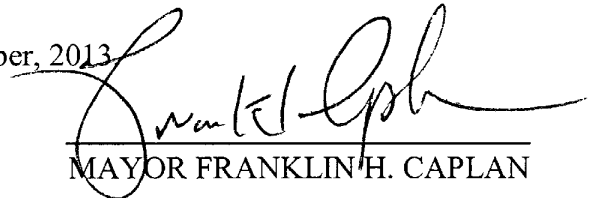
**Section 4. Village Manager and Others Authorized; Execution of Documents.** The Village Council hereby authorizes the Village Manager to execute the 2013 Lease Documents Modifications, once approved by the Village Attorney for legal sufficiency, for the acquisition of the 2013 Equipment on terms which are consistent with this Resolution. The Village Manager is authorized to take all action and execute all other documents necessary to implement this Resolution and the 2013 Lease Documents Modifications, and is authorized to expend Village funds for the purchase of the Equipment pursuant to the 2013 Lease Documents Modifications and in accordance with Village budget appropriations. The Village Clerk of the Village is authorized to affix the

official seal of the Village to the 2013 Lease Documents Modifications and such other documents and attest the same. The proper officers of the Village are, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and the 2013 Lease Documents Modifications, subject to the approval of the Village Attorney as to form and legal sufficiency.

**Section 5. Designation under Section 265(b)(3) of Internal Revenue Code.** Pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended (the “Code”), the Village hereby specifically designates the obligation authorized by this Resolution as a “qualified tax-exempt obligation” for purposes of Section 265(b)(3) of the Code. The Village does not reasonably anticipate that it will issue, and it has not budgeted the issuance of, tax-exempt obligations to be issued by it in the calendar year ending December 31, 2013, which will exceed \$10,000,000, including the obligation authorized herein.

**Section 6. Effective Date.** That this Resolution shall take effect immediately upon adoption hereof.

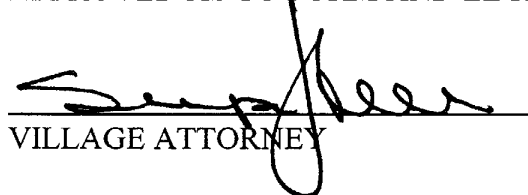
PASSED AND ADOPTED this 8th day of October, 2013

  
MAYOR FRANKLIN H. CAPLAN

ATTEST:

  
CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
VILLAGE ATTORNEY

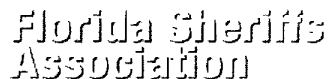




DATE	3/26/13
ORDER NO.	
VIN	
COLOR	WHITE

Agency	KEY BISCAYNE
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Address	

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 (Fax) 904-387-6816  
 (Cell) 904-343-6266  
[richard.tackett@duvalford.com](mailto:richard.tackett@duvalford.com)  
 1616 Cassat Ave. Jax. FL 32210



<b>Sales Quote</b>	<b>41359</b>
<b>CHASSIS CONTRACT #</b>	<b>12.10.0905</b>
<b>CAR SUV &amp; LT TRUCK #</b>	

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